

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RETHINK35, et al.,

Plaintiffs,

v.

TEXAS DEPARTMENT OF
TRANSPORTATION,

Defendant.

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CIVIL ACTION NO. 1:24-CV-00092-DII

NOTICE OF LODGING THE ADMINISTRATIVE RECORD

Defendant hereby lodges with the Court the Administrative Record for the Texas Department of Transportation’s decision regarding the I-35 Capital Express Central Project from US 290 East to State Highway 71/Ben White Boulevard (“CapEx Central” or “Project”). The Administrative Record for the Project consists of 52,462 pages (Bates numbered TxDOT-AR-00001 through TxDOT-AR-052462) contained on one flash drive. The Declaration of Doug Booher (“Declaration”) certifying the Administrative Record is attached to this notice. An index of the Administrative Record is attached to the Declaration as Exhibit 1.

On June 11, 2024, the Administrative Record for the Project contained on a flash drive was served on counsel for Plaintiffs, Save Our Springs Alliance, ATTN: Robert J. Levinski, 4701 Westgate Blvd., Ste. D-401, Austin, Texas 78745, phone: (512) 477-2320, ext. 105, and on Rachel S. Doughty, Esq., Greenfire Law, PC, 2748 Adeline Street, Suite A, Berkeley, CA 94703, phone: (510) 900-9502, ext. 706. Two courtesy copies of the Administrative Record on flash drives have also been delivered to the United States District Court for the Western District of Texas, U.S. District Clerk’s Office, ATTN: Alicia Davis, Divisional Office Manager, 501 West Fifth Street,

Suite 1100, Austin, Texas 78701, phone: (512) 916-5896, one for use by the Clerk and one for delivery to the assigned Judge's chambers.

Dated this 11th day of June 2024.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

JAMES LLOYD
Deputy Attorney General for Civil Litigation

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*Attorneys for Defendant,
Texas Department of Transportation*

CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2024, I electronically filed the foregoing Notice of Lodging the Administrative Record with the Clerk of the Court using the CM/ECF system, which will send notification to registered users.

Two flash drives containing the Administrative Record of the Texas Department of Transportation were delivered via overnight delivery to:

United States District Court for the
Western District of Texas
U.S. District Clerk's Office
ATTN: Alicia Davis, Divisional
Office Manager
501 West Fifth Street, Suite 1100
Austin, Texas 78701
Phone: (512) 916-5896

Via Fed Ex: 7767 8755 6722

In addition, a flash drive containing the Administrative Record of the Texas Department of Transportation was delivered via overnight delivery to:

Save Our Springs Alliance
ATTN: Robert J. Levinski
4701 West Gate Blvd., D-401
Austin, TX 78745
Phone: 512-477-2320, ext. 105

Via Fed Ex: 7767 8797 5188

Rachel S. Doughty, Esq.
Greenfire Law, PC
2748 Adeline Street, Suite A
Berkeley, CA 94703
Phone: (510) 900-9502, ext. 706

Via Fed Ex: 7767 8810 1765

Attorneys for ReThink 35, et al.

/s/ Lisa McClain Mitchell
LISA MCCLAIN MITCHELL
Assistant Attorney General